

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6725 of 2019

Arising Out of PS. Case No.-375 Year-2018 Thana- CHIRAIYA District- East Champaran

Chandan Kumar Kushwaha @ Chandan Kumar Son of Rambabu Prasad, aged about 24 years, (M), Resident of Village- Basantpur, P.S. Kundwachainpur, District East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Hemant Kumar Sharan, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 342, 186, 353, 332, 225-B, 365, 392/34 and 120(B) of the Indian Penal Code registered in connection with Chiraiya P.S. Case No. 375 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely on the basis of the confessional statement of co-accused Anil Singh. The accusation against three named persons and 30-40 unknown persons is general and omnibus in nature. No specific overt act has been alleged against the petitioner who claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sikrahana at Dhaka, Motihari, East Champaran in connection with Chiraiya P.S. Case No. 375 of



2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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